

REMARKS

Claims 61-65 and 79-82 are pending, with Claims 61 and 79 being independent. Claims 61-65 and 79-82 were rejected under 35 USC §112, but were also indicated as being allowable if rewritten or amended to overcome the §112 rejection. No new matter has been entered. Based on the following remarks, reconsideration and allowance of the application are requested.

I. 35 USC 112(1) Rejection

Claims 61-65 and 79-82 were rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the enablement requirement. Specifically, it is asserted in the Office Action that the disclosure does not appear to provide enabling support for the recitation in Claims 61 and 79 of "using a wireless link within the device to store a password in a memory". Applicants respectfully disagree based on the following remarks.

A. The specification only discloses one type of wireless link for communicating data with a RFID tag of a fully assembled device

The focus of the invention is a wireless-based system for tracking and controlling use of a replaceable component of a medical device, such as, for example, a replaceable light source for a light source unit of an endoscopic camera system. To accomplish this, the specification discloses a medical device (e.g., light source unit) that includes a RF transceiver 28, an antenna 29 and a microcontroller 26 controlling the RF transceiver 28. It is further disclosed that the replaceable component (e.g., replaceable light source) contain a RFID tag 27 that wirelessly communicates with antenna 29 and subsequently stores various data into a memory of the RFID tag 27. All of the above described elements, which make up the "wireless link", are discussed throughout the application and are readily depicted in Figure

2, which is a schematic diagram of the system, and Figure 5, which is a perspective drawing of a medical device incorporating the system (e.g., a light source unit 21 that includes a circuit board 55 incorporating a microcontroller and transceiver and communicating with an antenna 29, which is in close proximity to a pedestal 49 containing the RFID tag 27).

The "wireless link" described above is a core aspect of Applicants' invention. Indeed, the only "wireless link" described in the application for communicating data with the RFID tag of a fully assembled, removable component is the "wireless link" that is incorporated into the medical device and which is established by means of the components discussed above (microcontroller 26, RF transceiver 28, antenna 29 and associated RFID tag 27). No where else in the specification is there disclosed any other type of "wireless link" for communicating data with a RFID tag contained within a fully assembled medical component that is removably inserted into a medical device.

The specification does disclose that "transceiver circuitry that is similar to that shown in Figure 2" may be used to store initial values into the RFID tag during manufacturing of the removable medical component. However, once the medical component (e.g., light bulb assembly) is fully assembled and removably inserted into a medical device (e.g., endoscopic light unit), any communication of data with the RFID tag 27 occurs by means of the only "wireless link" disclosed that incorporates into the medical device and comprises, among other things, the RF transceiver 28 and antenna 29.

Even if it is presumed that there is no specific teaching to use the "wireless link" within the device to store a password, the ordinary person skilled in the art would comprehend that any password data to be stored in the RFID tag must be communicated by the "wireless link" within the device as it is the only wireless link disclosed in the application

for communicating data with the RFID tag of a fully assembled medical component.

B. The specification discloses the storing of a password using the wireless link within the device

To support the 112(1) rejection, the Office Action cites paragraph 39 of the specification, noting that this paragraph only discloses using the wireless link within the device for communicating and storing into memory data concerning light bulb usage. Specifically, paragraph 39 discloses that "the microcontroller 26 causes the RF transceiver 28 to read the value of bulb usage hours stored in the RFID tag 27" as well as causing the RF transceiver 28 to "update (rewrite) the value stored in the RFID tag 27 to reflect further use of the light bulb".

When read independently and out of context with the rest of the application, cited paragraph 39 admittedly does not disclose the storing of password data using the wireless link within the device. However, the general subject matter of paragraph 39 does not just abruptly end, but continues to be discussed in the next following paragraph 40. Specifically, paragraph 40 continues on, emphasizing by means of a first example that:

"Beside bulb usage hours, other types of information may also be stored in the memory 37 within the RFID tag 27, such as a password or other authentication data".

Paragraph 40 then discloses a second example, stating that:

"As yet another example, the microcontroller 26 may be configured to cause the RF transceiver 28 to store in the RFID tag 27 data identifying the light source unit 21 ... [and] can also be used to store performance data relating to any one or more components in the light source unit 21"

Paragraph 40. then concludes by noting that (note that use of square brackets identifies material added by undersigned for explanatory purposes) :

"Thus, essentially any kind of data can be stored in the RFID tag 27. In general, after initial data is set in the RFID tag 27 by the manufacturer, the microcontroller 26 [which controls RF transceiver 28 and is part of the 'wireless link' within the device] determines what data is stored in and read from the RFID tag 27 and when such data is stored or read, according to its programming".

Accordingly, the application does disclose the storing of a password using the wireless link within the device. In fact, the application discloses the storing of "essentially any kind of data" into the RFID tag 27, with the type of data being communicated being determined by the microcontroller 26 that controls the RF transceiver 28 and which is a necessary component of the "wireless link" within the device.

Separate from and in addition to the specific sections of the disclosure noted above, the ordinary person skilled in the art would already interpret the application as supporting the storing of a password into a memory of the RFID tag using the wireless link within the device. The basis for such an interpretation relies on two simple facts, including that:

- 1) By definition, data is read to and from a memory of a RFID tag by wireless means; and
- 2) The wireless link established by microcontroller 26, RF transceiver 28 and antenna 29 is the only wireless means disclosed in the application for conveying data to and from the RFID tag of an assembled component.

II. Conclusion

All objections and rejections having been addressed, it is respectfully submitted that the present application is in condition for allowance, and a Notice to that effect is earnestly solicited.

Respectfully submitted,



Steven R. Thiel

SRT/ps

FLYNN, THIEL, BOUTELL & TANIS, P.C. 2026 Rambling Road Kalamazoo, MI 49008-1631	Dale H. Thiel David G. Boutell Terryence F. Chapman Mark L. Maki Liane L. Churney Brian R. Tumm Steven R. Thiel Donald J. Wallace Sidney B. Williams, Jr.	Reg. No. 24 323 Reg. No. 25 072 Reg. No. 32 549 Reg. No. 36 589 Reg. No. 40 694 Reg. No. 36 328 Reg. No. 53 685 Reg. No. 43 977 Reg. No. 24 949
--	---	---

Encl: Post Card

136.07/05